

May 15, 2001

## IMPROVING THE BOSTON FIRE DEPARTMENT

### *A Three-Step Approach To Bring About Needed Change*

The Menino Administration and firefighters are back at the bargaining table with an opportunity to achieve long-recommended changes that will allow the Fire Department to improve the management of its operations and personnel practices in return for reasonable wage increases. The best interests of the City and its firefighters will be served if these changes are agreed upon in negotiations now, rather than be decided by a third-party in arbitration. Beyond the contract issues, the Administration should respond with an action plan and implementation timetable to the 149 recommendations to improve Fire Department operations by the MMA Consulting Group in 1995 and the O'Toole Commission in 2000. The Mayor should act soon to appoint a new full-time, civilian Fire Commissioner to take the lead in achieving the fire management and administrative advances found in other fire departments around the country.

The Fire Department's fire suppression services are excellent, but come at a high financial and human capital cost from operational and administrative inefficiencies and an imbedded culture that resists change and diversity within the ranks. The firefighters are seeking to come closer in reaching parity in compensation with Boston police officers, but resist agreeing to basic language changes in their contract that already exist in the Boston police officers' contract. Similar language is found in firefighter contracts in other Massachusetts communities and several large cities around the country.

One reason for the current inability to reach agreement may be that this is the first time in recent history that the firefighters have been engaged in issues bargaining. Under the past two Fire Commissioners, who were sympathetic to union interests, the firefighters were accustomed to receiving reasonable wage increases without changing the contract. In contrast, the current Police Commissioner has insisted on language changes to improve management efficiency in return for salary increases. Consequently, the police officers' contract provides for injured-on leave and use of independent medical examiners, light (temporary) duty, drug testing and performance evaluations.

### Fire Department Studies

Behind the Menino Administration's demands for reforms in the firefighters' contract are the findings of two reports and their combined 149 recommendations to improve the operation, organization, and management of the Boston Fire Department. The MMA Consulting Group report of 1995 and the O'Toole Commission report of 2000 provide a comprehensive, critical assessment of the Department's operations, management, imbedded culture, discipline, supervision and training. The key contract issues raised in the reports were included in the Administration's bargaining position. However, implementation of the other recommendations has been very limited. So far, from the O'Toole Commission report, the Mayor has appointed his Chief Operating Officer as Acting Fire Commissioner and a Fire Chief.

### The Fourth Year

Discussions by the Administration and firefighters about extending the contract that expired on June 30, 1999, to four years rather than the traditional three must be addressed very carefully. A fourth year is being discussed to help make the finances more acceptable. However, the contracts for most other city employees will expire on June 30, 2002. Therefore, the fourth year of the firefighters' contract would start on the same date as the first year for the contracts for other city employees and become the benchmark or starting point for those contracts.

Visits by the O'Toole Commission members to four cities demonstrated that Boston's fire management and administrative operations are behind other cities even though its spending per capita is one of the highest in the country. Boston's fire costs per capita, for example, were the second highest in a survey of 11 comparable cities as shown in the chart.

## Recommendations

The contract negotiations between the Menino Administration and the firefighters are one part of a three-step process to achieve needed reform in the Boston Fire Department. The contract is the vehicle

for implementing important changes suggested in two major studies of Boston fire operations and management. However, these two studies also have made sensible recommendations outside the scope of collective bargaining. Finalizing selection of the Fire Department's top management team should be made a high priority. At the same time, the City needs to be sensitive to its changing financial situation due to the reduced growth of state aid and the uncertainty of the economy in the next few years. For these reasons, the Bureau makes the following recommendations:

CITY	POPULATION	FIRE SPENDING	PER CAPITA SPENDING
San Francisco	800,606	\$170,679,000	\$213
Boston	589,141	119,098,152	202
Columbus	711,470	130,591,998	184
Baltimore	651,154	102,701,337	158
Milwaukee	596,974	81,196,723	136
New York	8,008,278	1,078,288,006	135
Los Angeles	3,694,820	399,804,330	108
Chicago	2,896,016	313,100,264	108
Minneapolis	382,618	38,929,943	102
Philadelphia	1,517,550	141,870,956	93
Indianapolis	791,926	51,184,588	65

1. The union leadership and members should recognize the changes made in other public safety labor contracts and agree to similar terms in this contract. The Menino Administration has negotiated generous contracts recently for police officers and teachers in return for language changes to improve services. The same should be expected for the firefighters within reason. Serious and responsible bargaining guided by today's realities, not the past, is what is needed to achieve a new contract. **The firefighters' contract should be changed to:**
  - Reduce the rate of injured-on leave by providing for light or partial duty and the use of an independent medical examiner to decide work eligibility if needed.
  - Restrict shift-swapping and acting out of grade to fill vacancies. These practices affect the allocation and continuity of staffing and interfere with efficient management. Normal vacation and personal time would not be affected.
  - Institute drug testing. It has worked successfully in the Police Department.
  - Exempt top management positions from the firefighters union. All uniformed officers except the Commissioner and Fire Chief belong to the same union.
2. The Menino Administration should present an action plan, based on the recommendations of the MMA Consulting Group and O'Toole Commission reports that it will seek to implement outside of the contract changes. The Acting Commissioner and Fire Chief should select a point person from the senior team to manage the implementation of the action plan. The Department should issue quarterly progress reports. These were the steps taken by the Police Department following the release of the St. Clair report in 1992.
3. The Mayor should not delay in appointing a new civilian Fire Commissioner. The recommendation to appoint a civilian Commissioner was made in January 2000 and 16 months later, the City's Chief Operating Officer is still splitting his role as COO and Acting Fire Commissioner. The Bureau agrees with the O'Toole Commission that a civilian Commissioner with significant management and leadership experience as well as a commitment to providing progressive and dynamic leadership is needed. The civilian Commissioner will bring greater accountability to the Department and professional management expertise to the operations of the organization. The Commissioner would work closely in this effort with the Fire Chief who is more involved in the day-to-day operations of the Department. The dual role of Commissioner and Chief that existed in the past is not practical now. Two leaders are needed to improve the operations and management of the Department while also challenging its imbedded culture that resists change and diversity within the ranks.